

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

SHENEA JAMES as administrator of the estate of  
DEDRICK JAMES, deceased, and SHENEA  
JAMES, individually,

*Plaintiff,*

v.

CITY OF ROCHESTER, et al.

*Defendants.*

NOTICE OF MOTION

Case # 6:23-cv-06057-DGL-  
MJP

**Motion By:** Defendant Todd Baxter

**Relief Requested:**

- A. An order pursuant to F.R.C.P. Rule 12(b)(6), dismissing the cause(s) of action against Sheriff Todd Baxter.
- B. Such other and further relief as this Court shall find good and proper.

**Nature of the Action:** Plaintiff brought suit against Rochester Police Officers, Sheriff Todd Baxter, a Monroe County Sheriff's Deputy, and a State Police Investigator alleging various torts relating to the death of plaintiff's decedent. The case was removed to federal court. The Court dismissed all state causes of action against defendant Baxter and one federal cause of action now remains.

**Supporting Papers:** Attorney Declaration of Robert J. Shoemaker, Esq., Memorandum of Law.

**Before:** Hon. David G. Larimer

**Date and Time:** To be determined.

**Answer to the Motion:** The Defendant hereby reserve the right to reply.

**JOHN P. BRINGEWATT**  
**MONROE COUNTY ATTORNEY**  
*Attorney for the Defendants*

Dated: May 11, 2023

/s/ Robert J. Shoemaker

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City of Rochester  
Office of the Corporation Counsel

Attorney for NYSP Investigator Ulatowski

(all by CM/ECF)